

 FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO.: 1842-0021		APPLICATION NO. 10/749,640
	APPLICANT: Boyd et al.		
	FILING DATE: December 31, 2003	GROUP ART UNIT: To be Assigned	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA	4,743,260	05/10/1988	Burton			
	AB	4,805,602	02/21/1989	Puno et al.			
	AC	4,836,196	06/06/1989	Park et al.			
	AD	5,002,542	03/26/1991	Frigg			
	AE	5,011,484	04/30/1991	Breard			
	AF	5,092,866	03/03/1992	Bread et al.			
	AG	5,167,664	12/01/1992	Hodorek			
	AH	5,180,393	01/19/1993	Commarmond			
	AI	5,207,678	05/04/1993	Harms et al.			
	AJ	5,209,751	05/11/1993	Farris et al.			
	AK	5,219,349	06/15/1993	Krag et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	TRANSLATION
	AL	EP 0 381 588 B2	03/05/2000	Breard et al.			Yes No
	AM	WO 02/24087	28/03/2002	Kalaitzis et al.			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AQ	1	Mulholland, Robert C. and Sengupta, Dilip K., "Rational, Principles and Experimental Evaluation of the Concept of Soft Stabilization", EUR Spine J (2002) 11 (Suppl.2): S198-S205, ©Springer-Verlag 2002, (8 pages).
AR	1	Sénégas, J., "Mechanical Supplementation by Non-Rigid Fixation in Degenerative Intervertebral Lumbar Segments: The Wallis System", Eur Spine J (2002) 11 ((Suppl. 2): S164-S169, ©Springer-Verlag 2002, (6 pages).
AS	1	Dunsker, Stewart B., Schmidek, Henry H., Frymoyer, John, and Kahn, Alfred, "The Unstable Spine (Thoracic, Lumbar, and Sacral Regions), Grune & Stratton, Inc. 1986, (19 pages).

EXAMINER /Julianna Harvey/	DATE CONSIDERED 01/31/2008
----------------------------	----------------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>	ATTY. DOCKET NO.: 1842-0021		APPLICATION NO. 10/749,640
	APPLICANT: Boyd et al.		
	FILING DATE: December 31, 2003	GROUP ART UNIT: To be Assigned	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	BA	5,242,446	09/07/1993	Steffee et al.			
	BB	5,261,912	11/16/1993	Frigg			
	BC	5,344,422	09/06/1994	Frigg			
	BD	5,363,841	11/15/1994	Coker			
	BE	5,486,174	01/23/1996	Fournet-Fayard et al.			
	BF	5,501,684	03/26/1996	Schlapfer et al.			
	BG	5,540,688	07/30/1996	Navas			
	BH	5,545,163	08/13/1996	Miller et al.			
	BI	5,562,737	10/08/1996	Graf			
	BJ	5,591,165	01/07/1997	Jackson			
	BK	5,616,143	04/01/1997	Schlapfer et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	TRANSLATION
	BL						Yes No
	BM						Yes No
	BN						Yes No
	BO						Yes No
	BP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

BQ	2	"Modulus System™: Fusion, Stabilization, or Augmentation", MEKANIKA: The Spinal Stabilization Company, http://www.mekanika.com/htm/modsystem.htm , November 15, 2003, (4 pages).
BR	2	Scifert, Jeffrey L., Sairyo, Koichi, Goel, Vijay K., Grobler, Leon J., Grosran, Nicole M., Spratt, Kevin F., and Chesmel, Kathleen D., "Stability Analysis of an Enhanced Load Sharing Posterior Fixation Device and Its Equivalent Conventional Device in a Calf Spine Model", SPINE, Vol. 24, No. 21, pp. 2206-2213, ©Lippincott, Williams & Wilkins, Inc. (8pages).
BS	2	Various Abstracts of Articles on the "X-Stop" InterSpinous Spacer, Various Authors, date unknown.

EXAMINER /Julianne Harvey/	DATE CONSIDERED 01/31/2008
----------------------------	----------------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>	ATTY. DOCKET NO.: 1842-0021	APPLICATION NO. 10/749,640
	APPLICANT: Boyd et al.	
	FILING DATE: December 31, 2003	GROUP ART UNIT: To be Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	CA	5,628,740	05/13/1997	Mullane			
	CB	5,707,372	01/13/1998	Errico et al.			
	CC	5,782,831	06/21/1998	Sherman et al.			
	CD	5,961,516	10/05/1999	Graf			
	CE	6,004,323	12/21/1999	Park et al.			
	CF	6,010,507	01/04/2000	Rudloff			
	CG	6,015,409	01/18/2000	Jackson			
	CH	6,017,345	01/25/2000	Richelsoph			
	CI	6,083,229	07/04/2000	Constantz et al.			
	CJ	6,086,590	07/11/2000	Margulies et al.			
	CK	6,123,706	09/26/2000	Lange			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	TRANSLATION
	CL						Yes No
	CM						Yes No
	CN						Yes No
	CO						Yes No
	CP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

CQ	3	Swanson, Kyle E., Lindsey, Derek P., Hsu, Ken Y., Zucherman, James F. and Yerby, Scott A., "The Effect of Interspinous Implant on Intervertebral Disc Pressures", SPINE, Vol. 28, No. 1, pp. 26-32, ©Lippincott, Williams & Wilkins, Inc., (9 pages).
CR	3	Garner, Matthew D., Wolfe, Steven J., Kuslich, Stephen D., "Development and Preclinical Testing of a New Tension-Band Device for the Spine: The Loop System", Eur Spine J (2000) 11 (Suppl. 2): S186-191, (6 pages).
CS	3	"The Concept of "Flexible Stabilization" (Dynamic Spine Stabilization)", The Burton Report©, file://C:\WINDOWS\TEMP\triDIMLM.htm, 04/29/03, (3 pages).

EXAMINER	/Julianna Harvey/	DATE CONSIDERED	01/31/2008
----------	-------------------	-----------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.H./

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO.: 1842-0021	APPLICATION NO. 10/749,640
	APPLICANT: Boyd et al.	
	FILING DATE: December 31, 2003	GROUP ART UNIT: To be Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	DA	6,149,655	11/21/2000	Constantz et al.			
	DB	6,179,838	01/30/2001	Fiz			
	DC	6,206,882	03/27/2001	Cohen			
	DD	6,214,004	04/10/2001	Coker			
	DE	6,224,597	05/01/2001	Coker			
	DF	6,391,030	05/21/2002	Wagner et al.			
	DG	6,432,109	08/13/2002	Letendart et al.			
	DH	6,514,225	02/04/2003	Fenice			
	DI	6,551,320	04/22/2003	Lieberman			
	DJ	6,558,387	05/06/2003	Errico et al.			
	DK	6,575,975	06/10/2003	Brace et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	TRANSLATION
	DL						Yes No
	DM						Yes No
	DN						Yes No
	DO						Yes No
	DP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	DQ	4	"WALLIS", Spine Next, Evoluer Autrement, http://www.spinenext.com , (1 pages).
	DR	4	Senegas, Jacques, "Senegas System: Concept of Posterior Stabilisation: Mechanical Supplementation by Dynamic Fixation in Degenerative Intervertebral Lumbar Segments: The Wallis System", (2 pages).
	DS	4	Suzuki, Kane, Mochida, Joji, Chiba, Masahiro and Kikugawa, Hisao, "Posterior Stabilization of Degenerative Lumbar Spondylolisthesis with a Leeds-Keio Artificial Ligament: A Biomechanical Analysis in a Porcine Vertebral Model", (10 pages).

EXAMINER	/Julianna Harvey/	DATE CONSIDERED	01/31/2008
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.			

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.H./

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO.: 1842-0021	APPLICATION NO. 10/749,640
	APPLICANT: Boyd et al.	
	FILING DATE: December 31, 2003	GROUP ART UNIT: To be Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	EA	6,582,431	06/24/2003	Ray			
	EB	6,613,050	09/02/2003	Wagner et al.			
	EC	6,616,669	09/09/2003	Ogilvie et al.			
	ED	2002/0019637	02/14/2002	Frey et al.			
	EE	2002/0068937	06/06/2002	Kuntz			
	EF	2002/0103487	08/01/2002	Errico et al.			
	EG	2002/0138077	09/26/2002	Ferree			
	EH	2002/0165550	11/07/2002	Frey et al.			
	EI	2002/0183745	12/05/2002	Kuntz			
	EJ	2003/0004511	01/02/2003	Ferree			
	EK	2003/0028196	02/06/2003	Bonutti			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	TRANSLATION
	EL						Yes No
	EM						Yes No
	EN						Yes No
	EO						Yes No
	EP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

EQ	§	Mochida, Joji, Suzuki, Kane, Chiba, Masahiro, "How to Stabilize a Single Level Lesion of Degenerative Lumbar Spondylolisthesis", Clinical Orthopaedics and Related Research, No. 368, pp. 126-134, ©Lippincott, Williams & Wilkins, Inc., (9 pages).
ER	§	Taylor, Jean, "Minimal Access for Interspinous Stabilisation", (6 pages).
ES	§	Caserta,S., La Maida, G.A., Misaggi, B., Peroni,D., Pietrabissa,R., Raimondi, M.T., Redaelli, A., "Elastic Stabilization Alone or Combined with Rigid Fusion in Spinal Surgery: A Biomechanical Study and Clinical Experience based on 82 cases", Eur Spine J (2002) 11(Suppl.2):S192-S197, ©Springer-Verlag 2002, (6 pages).

EXAMINER	/Julianne Harvey/	DATE CONSIDERED	01/31/2008
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.			

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.H./

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO.: 1842-0021	APPLICATION NO. 10/749,640
	APPLICANT: Boyd et al.	
	FILING DATE: December 31, 2003	GROUP ART UNIT: To be Assigned

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
FA		2003/0065329	04/03/2003	Vaughan			
FB							
FC							
FD							
FE							
FF							
FG							
FH							
FI							
FJ							
FK							

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	TRANSLATION
FL							Yes No
FM							Yes No
FN							Yes No
FO							Yes No
FP							Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

FQ	<u>6</u>	Hadlow, Simon, Fagan, Andrew, Terrence, Hillier and Fraser, Robert, "The Graf Ligamentoplasty Procedure: Comparison with Posterolateral Fusion in the Management of Low Back Pain", http://gateway2.ovid.com/ovidweb.cgi , May 20, 2003, (14 pages).
FR	<u>6</u>	Konno, Shinichi and Kikuchi, Shinichi, "Prospective Study of Surgical Treatment of Degenerative Spondylolisthesis: Comparison Between Decompression Alone and Decompression with Graf System Stabilization", SPIN, Vol. 25 (12), June 15, 2000, (10 pages).
FS	<u>6</u>	Gardner, Alan and Pande Ketan, "Graf Ligamentoplasty: A 7-Year Follow-Up, Eur Spine J (2002) 11 (Suppl.2): S157-S163, ©Springer-Verlag 2002, (7 pages).

EXAMINER	/Julianne Harvey/	DATE CONSIDERED	01/31/2008
----------	-------------------	-----------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>	ATTY. DOCKET NO.: 1842-0021	APPLICATION NO. 10/749,640
	APPLICANT: Boyd et al.	
	FILING DATE: December 31, 2003	GROUP ART UNIT: To be Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	GA						
	GB						
	GC						
	GD						
	GE						
	GF						
	GG						
	GH						
	GI						
	GJ						
	GK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	TRANSLATION
	HL						Yes No
	HM						Yes No
	HN						Yes No
	HO						Yes No
	HP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

HQ	7	Nydegger, T. and Dubois, G., "Dynamic Neutralisation System for the Spine: Biomechanical Aspects", (1 page).
HR	7	Eberlein, Robert, Holzapfel, Christian A, and Schulze-Bauer, A.J., "Assessment of a Spinal Implant by Means of Advanced FE Modeling of Intact Human Intervertebral Discs", WCCM V July 7-12, 2002, (14 pages).
HS	7	Stoll, Thomas M., Dubois, Giles, Schwarzenbach, Othmar, "The Dynamic Neutralization System for the Spine: A Multi-Center Study of a Novel Non-Fusion System", European Spine Journal, http://link.springer-nyc.com/link/service/journals/00586/contents/02/00438/paper/s00586-002 , (18 pages).

EXAMINER	/Julianna Harvey/	DATE CONSIDERED	01/31/2008
----------	-------------------	-----------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.H./

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO.: 1842-0021	APPLICATION NO. 10749,640
	APPLICANT: Boyd et al.	
	FILING DATE: December 31, 2003	GROUP ART UNIT: To be Assigned

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	IA						
	IB						
	IC						
	ID						
	IE						
	IF						
	IG						
	IH						
	II						
	IJ						
	IK						
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	TRANSLATION
	IL						Yes No
	IM						Yes No
	IN						Yes No
	IO						Yes No
	IP						Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	IQ	8	Freudiger,S., Dubois, G. and Lorrain, M., "Dynamic Neutralisation of the Lumbar Spine Confirmed on a New Lumbar Spine Simulator in Vitro", Arch Orthop Trauma Surg (1999): 119:127-132, ©Springer-Verlag -1999, (6 pages).				
	IR	8	Rauchnung, Wolfgang, "Design Rational and Implantation of Dynesis", (2 pages).				
	IS	8	Centerpulse, Centerpulse Spine-Tech, http://www.centerpulse.com/centerpulse/Investors/NewsQuotes/?view=6340 , 04/29/2003, (2 pages).				
EXAMINER /Julianna Harvey/					DATE CONSIDERED 01/31/2008		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.H./

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO.: 1842-0021	APPLICATION NO. 10/749,640
	APPLICANT: Boyd et al.	
	FILING DATE: December 31, 2003	GROUP ART UNIT: To be Assigned

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	JA						
	JB						
	JC						
	JD						
	JE						
	JF						
	JG						
	JH						
	JI						
	JJ						
	JK						
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	TRANSLATION
	JL						Yes No
	JM						Yes No
	JN						Yes No
	JO						Yes No
	JP						Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
/J.H./	JQ	9	Sengupta, Dilip K., Mulholland, Robert C., Herkowitz, Harry N., Hochschuler, Stephen H., "Loads Sharing Characteristics of Two Novel Soft Stabilization Devices in the Lumbar Motion Segments: A Biomechanical Study in Cadaver Spine", date unknown, (3 pages).				
	JR	9					
	JS	9					
EXAMINER	/Julianna Harvey/				DATE CONSIDERED	01/31/2008	
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							